

NOV 24 2010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re United States Patent Application of:	)	Docket No.:	2771-546-CIP2
Applicants: DIMEO, Frank, et al.	)	Conf. No.:	2238
Application No.: 10/784,750	)	Art Unit:	2856
Date Filed: February 23, 2004	)	Examiner:	J.M. Saint Surin
Title: APPARATUS AND PROCESS FOR SENSING FLUORO SPECIES IN SEMICONDUCTOR PROCESSING SYSTEMS	)	Customer No.:	23448

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/vincent k. gustafson/

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TO EXAMINER J.M. SAINT-SURIN

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November 24, 2010.

/vincent k. gustafson/

RENEWED REQUEST FOR ISSUE OF FORM PTO-892 MAKING U.S. PATENT NO.  
2,194,520 TO DARRAH OF RECORD IN U.S. PATENT APPLICATION NO. 10/784,750

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

A Notice of Allowance was issued in the above-identified U.S. patent application on October 6, 2010. The issue fee has not yet been paid.

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An Office Action was issued in the above-identified application on October 9, 2007. The October 9, 2007 Office Action included, *inter alia*, the following rejection of Claim 43 at page 11, lines 12-16:

4. Claim 43 is rejected under 35 U.S.C. 102(b) as being anticipated by William (US Patent 2,194,520).

Regarding claim 43, William discloses a gas sensor assembly comprising a support structure (supporting frame 1 and filament 6, see col. 1, lines 28-30, 34-36) also col. 2, lines 59-62).

As indicated above, Claim 43 was rejected under 35 U.S.C. 102(b) as allegedly anticipated by U.S. Patent No. 2,194,520. However, the form PTO-892 accompanying the October 9, 2007 Office Action did not include citation of U.S. Patent No. 2,194,520.

Based on Applicants' review of the file history via PAIR it appears that U.S. Patent No. 2,194,520 has not otherwise been made of record.

Pursuant to MPEP § 707, all of the references cited in an Office Action that are not already of record should be included on the Form PTO-892. MPEP § 707 states, in pertinent part, that "[t]he list of references cited appears on a separate form, Notice of References Cited, PTO-892 (copy in MPEP § 707.05) attached to applicant's copies of the action." (MPEP § 707 (Examiner's Letter or Action))

On October 4, 2010, the undersigned attorney filed a (first) Request for Issuance of Form PTO-892 in the present application, in order to confirm the Examiner's consideration of U.S. Patent No. 2,194,520.

On October 11, 2010, the undersigned attorney filed an Amendment After Allowance including a renewed request for issuance of Form PTO-892 in the present application, in order to confirm the Examiner's consideration of U.S. Patent No. 2,194,520 to DARRAH, William.

On November 23, 2010, a Form PTO-892 was issued in the present application INCORRECTLY identifying U.S. Patent No. 2,194,250 to TUREK, Frank S.

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The Form PTO-892 issued on November 23, 2010 did NOT correctly identify U.S. Patent No. 2,194,520 to DARRAH, William, as it appears that the examiner transposed the final three digits of the cited reference. Applicants therefore renew the request for issuance of form PTO-892 in the above-referenced application including U.S. PATENT NO. 2,194,520 TO DARRAH, William, so that this reference will appear among the "References Cited" on any patent to issue therefrom.

Prompt attention to Applicants' request in this regard is requested, in view of the deadline of January 6, 2011 for payment of the issue fee.

#### CONCLUSION

Issuance of Form PTO-892 confirming the examiner's consideration of U.S. Patent No. 2,194,520 to DARRAH, William is requested. If any issues require further resolution, the examiner is requested to contact the undersigned attorney at (919) 419-9350, so that issuance of a patent on the present application can be expedited.

Respectfully submitted,

/vincent k. gustafson/  
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